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June 17, 2004

VIA FEDERAL EXPRESS

Clerk
United States District Court
Northern District of New York
Alexander Pirnie Federal Building
10 Broad Street
Utica, NY 13501-1233

**Re: United States of America ex rel. The Saint Regis Mohawk Tribe v.
President R.C.-St. Regis Management Company and Anderson-Blake
Construction Corp., 02-CV-0845 (DNH/DEP); Our File No.: 2468-19**

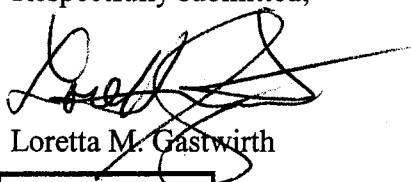
Dear Sir or Madam:

This firm represents Defendant President R.C. - St. Regis Management Company ("President") in the above-referenced action. We received a letter dated June 15, 2004 addressed to the Clerk by the Saint Regis Mohawk Tribe ("Tribe"), the relator-plaintiff in the above-referenced action, seeking to file under seal Exhibit J attached to the affidavit of Daniel Seff submitted by the Tribe in connection with its motion for summary judgment.

Rather than permitting Exhibit J to be filed under seal, the Clerk must return Exhibit J to the Tribe. Defendant President did not produce this document in discovery and if it was produced by another party, it was produced in violation of the clear NIGC prohibition which appears on the face of the document: "**THIS INFORMATION IS THE PROPERTY OF THE NIGC AND IS NOT TO BE DISCLOSED OR DISSEMINATED WITHOUT THE WRITTEN PERMISSION OF THE NIGC.**" The Tribe has failed to produce written permission of the NIGC to possess and/or file this document and therefore it must be returned to the NIGC and may not be filed at all in this Court.

Thank you for your attention in this matter.

Respectfully submitted,



Loretta M. Gastwirth

LMG/es

cc: Daniel Seff, Esq. (by fax)
Marlene Budd, Esq. (by fax)



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